

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

G.E. CAPITAL INFORMATION)	
TECHNOLOGY SOLUTIONS, INC.,)	CASE NO. 4:13CV01186
)	
Plaintiff,)	
)	JUDGE BENITA Y. PEARSON
v.)	
)	
MOUNT CALVARY PENTECOSTAL)	
CHURCH OF YOUNGSTOWN, OHIO, <i>et</i>)	
<i>al.</i> ,)	
)	
Defendants.)	<u>ORDER</u>

On September 26, 2013, Plaintiff filed an amended complaint alleging against Defendant Craig A. Gilchrist counts of breach of a lease (Count Two), fraudulent misrepresentation (Count Three), and conversion (Count Four). ECF No. [27](#). The causes of action against Gilchrist derive from Plaintiff's allegations that Gilchrist leased from Plaintiff photocopy machines, equipment, and accessories under false pretenses and using false representations, and has failed to pay Plaintiff the rental and other charges due, and has also failed to return the leased equipment.

On October 9, 2013, a process server personally served Gilchrist with the first amended complaint and summons. ECF No. [32-1](#). To date, Gilchrist has failed to appear, answer, or otherwise defend against the claims asserted by Plaintiff.

On February 27, 2014, Plaintiff filed a motion for default judgment with an accompanying affidavit. ECF No. [47](#). The undersigned referred the matter to United States Magistrate Judge George J. Limbert for the preparation of a report and recommendation. ECF No. [49](#). On March 13, 2014, the magistrate judge issued his report and recommended that the Court grant Plaintiff's motion

(4:13CV01186)

for default judgment, award Plaintiff the amount of \$199,628 based on the affidavit of Judy Sjoquist, and deny Plaintiff's request for attorney's fees. ECF No. [50](#).

[28 U.S.C. § 636](#) provides that a party may serve and file specific written objections within fourteen days after being served with the recommendations of the magistrate judge. Failure to object within this time waives a party's right to appeal the district court's judgment. [Thomas v. Arn, 474 U.S. 140, 145, 106 S. Ct. 466, 88 L. Ed. 2d \(1986\)](#). Moreover, 28 U.S.C. § 636 does not require a district judge to review a magistrate judge's report to which no objections are filed. *Id.* at 149.

To date, Gilchrist has not filed an objection, even though the fourteen day cutoff has passed. Although the Court need not review the magistrate judge's report, the Court has done so and finds it to be well-reasoned and appropriately supported by the law and the facts.

Therefore, the Court adopts the report and recommendation docketed at ECF No. [50](#) in its entirety. The Court grants Plaintiff's motion for default judgment. Judgment is awarded in favor of Plaintiff in the amount of \$199,628.

IT IS SO ORDERED.

March 31, 2014
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge